

M104710089  
cc: April  
Task: 5482

FORM MR-TRL  
Revised 03/31/2009

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

RECEIVED E-Mail

JUL 01 2013

Div. of Oil, Gas & Mining

\*\*\*\*\*

APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE LARGE MINING OPERATIONS

Application is hereby made to transfer the permit to commence large mining operations for the  
TME Asphalt Ridge LLC #1 project, permit # M/047 / 0089, currently  
operated by TME Asphalt Ridge, LLC (transferor)  
to TMC Capital, LLC (transferee).

As used herein, TRANSFEROR refers to the current operator, TRANSFEE refers to the  
proposed new operator, NOI refers to the Notice of Intention to Commence Large Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee. The Transferor will not retain any rights to conduct mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct large mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The Transferor will remain liable for compliance at the mine site until this transfer application is approved.

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JUL 10 2013

DIV. OIL GAS & MINING



The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

TME Asphalt Ridge, LLC

Operator/Transferor Name

By William Messerli

Name of Authorized Officer (Typed or Printed)

President / Chief Manager

Title of Authorized Officer

William Messerli

Officer's Signature

Date

STATE OF MINNESOTA

) ss:

COUNTY OF HENNEPIN

On the 28<sup>th</sup> day of June, 20 13, William Messerli  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Officer (owner, officer, director, partner, agent or other (specify))  
of the Operator TME Asphalt Ridge, LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Teresa E. Tierney  
Notary Public

MINNESOTA

Residing at

1-31-2015

My Commission Expires:



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JUL 10 2013

DIV. OIL GAS & MINING



The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

TMC Capital, LLC

Operator/Transferee Name

By BORIS TRYBON

Name of Authorized Officer (Typed or Printed)

Manager

Title of Authorized Officer

[Signature] Date

STATE OF \_\_\_\_\_ )

) ss:

COUNTY OF \_\_\_\_\_ )

On the 27<sup>th</sup> day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_  
personally appeared before me, who being by me duly sworn did say that he/she is  
an \_\_\_\_\_ (owner, officer, director, partner, agent or other (specify))  
of the Operator TMC Capital, LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
Residing at

\_\_\_\_\_  
My Commission Expires:

SEE ATTACHED

APPROVED

JUL 10 2013

DIV. OIL GAS & MINING

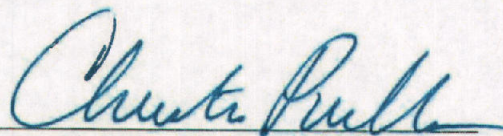


State of California        }  
                                     }  
County of Los Angeles    }

On June 27, 2013, before me, CHRISTINA PUELLO, Notary Public, personally appeared, Boris Treyzon, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature   
Signature of Notary Public



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JUL 10 2013  
DIV. OIL GAS & MINING



**I. Rule R647-4-104 - Operator(s), Surface and Mineral Owners**

The Permittee / Operator must provide the name, address and telephone number of the individual or company who will be responsible for the proposed operation. **Business entities listed as the Permittee / Operator, must include names and titles of the corporate officers on a separate attachment.**

1. Mine Name: TME AR Mine #1 [formerly TME Asphalt Ridge LLC Cameron #1 (SO470036) and TME AR Lecy Mine (SO470088)]
2. Legal name of entity (or individual) for whom the permit is being requested: TMC Capital, LLC

Mailing Address: 9701 Wilshire Blvd., Suite 1000  
City, State, Zip: Beverly Hills, CA 90212  
Phone: (310) 407-7888 Fax:  
E-mail Address: [boris@treyzon.com](mailto:boris@treyzon.com)

Type of Business: Corporation ( ) LLC (X) Sole Proprietorship (dba) ( )

Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited

Or:

Individual ( )

**Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations (DOC) [www.commerce.utah.gov](http://www.commerce.utah.gov).**

Are you currently registered to do business in the State of Utah? X Yes No  
Entity #

If no, contact [www.commerce.utah.gov](http://www.commerce.utah.gov) to renew or apply.

Local Business License # \_\_\_\_\_ (if required)

Issued by: County \_\_\_\_\_ or City \_\_\_\_\_

Registered Utah Agent (as identified with the Utah Department of Commerce) (if individual leave blank):

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Fax: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

3. Permanent Address:

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

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SEP 15 2008

DIV. OIL GAS & MINING

4. Contact Person(s) Please provide as many contacts as necessary.

Name: Boris Treyzon

Title: Manager

Address: 9701 Wilshire Blvd., Suite 1000

City, State, Zip: Beverly Hills, CA 90212

Phone: (310) 407-7888 Fax:

Emergency, Weekend, or Holiday Phone:

E-mail Address: [boris@treyzon.com](mailto:boris@treyzon.com)

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Contact person to be notified for: permitting (X) surety (X) Notices (X) (please check all that apply)



- 14) Equipment mobilization.
- 15) Supervision during reclamation.

To assist the Division in determining a reasonable surety amount, please attach a reclamation cost estimate which addresses each of the above steps. The areas and treatments included in the reclamation treatments map should correspond with items included in the reclamation cost estimate. The reclamation costs used by the Division must be third party costs.

**X. PERMIT FEE [Mined Land Reclamation Act 40-8-7(i)]**  
**SEE ATTACHMENT II**

The Utah Mined Land Reclamation Act of 1975 [40-8-7 (i)] provides the authority for the assessment of permitting fees. Commencing with the 1998 fiscal year (July 1 - June 30), and revised July 1, 2002, annual permit fees are assessed to new and existing notices of intention and annually thereafter until the project disturbances are successfully reclaimed by the Permittee / Operator and released by the Division. Large mining permits require an initial submission fee and annual fee of \$500.00 for surface disturbance of 50 or less acres, or a \$1,000.00 fee for surface disturbance greater than 50 acres (see page six Section III, Rule R647-4-106.3 for estimated disturbance calculation). The appropriate fee MUST accompany this application or it cannot be processed by the Division.

**PLEASE NOTE:** If you are expanding from a small mining operation to a large mining operation, the appropriate large mine permit fee, less the annual \$150.00 small mine fee (if already paid) MUST accompany this application.

**XI. SIGNATURE REQUIREMENT**

I hereby certify that the foregoing is true and correct. (Note: This form must be signed by the owner or officer of the company/corporation who is authorized to bind the company/corporation).

Signature of Permittee / Operator/Applicant: [Signature]

Name (typed or print): Foris Truzyon, manager

Title/Position (if applicable): Manager

Date: 6/28/2013

**PLEASE NOTE:**

Section 40-8-13 (2) of the Mined Land Reclamation Act provides for maintenance of confidentiality concerning certain portions of this report. Please check to see that any information desired to be held confidential is so labeled and included on separate sheets or maps.

Only information relating to the location, size or nature of the deposit may be protected as confidential.

Confidential Information Enclosed: ( ) Yes ( ) No

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JUL 10 2013

DIVISION OF OIL GAS & MINING

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VII. SIGNATURE REQUIREMENT

**CERTIFICATION**

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- b. I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; or (4.) the member or manager if applicant is a limited liability company.

Signature: 

Date: 6/28/2013

Name (typed or printed):

Boris Treykov, manager

Title/Position (if applicable):

Manager

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JUL 10 2013

DIV. OIL GAS & MINING



STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
(801) 538-5291

\*\*\*\*\*

APPLICATION FOR TRANSFER  
OF  
NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

Application is hereby made to transfer the permit to commence small mining operations for the  
TME AR Lecy Mine project, permit # S/047 / 0088, currently  
operated by TME Asphalt Ridge, LLC (transferor)  
to TMC Capital, LLC (transferee).

As used herein, TRANSFEROR refers to the current operator, TRANSFEE refers to the  
proposed new operator; NOI refers to the Notice of Intention to Commence Small Mining  
Operations; PERMIT refers to the approved (or accepted) NOI, including the reclamation  
contract and reclamation surety.

Upon approval of the Application for Transfer:

1. The Transferor agrees to transfer all rights and obligations to operate under the terms of the NOI to the Transferee, The Transferor will not retain any rights to conduct small mining operations within the area covered by the approved NOI.
2. Both parties understand the transfer of the ***NOI is not complete until all the applicable requirements are met***, including the submittal and Division approval of an appropriate reclamation surety and a reclamation contract.
3. The transferee has read and has a copy of the current NOI.
4. The Transferee has inspected the site and is fully aware of all existing conditions and responsible for compliance with the conditions of the permit and the obligations regardless of the nature of the conditions at the site.
5. Transferee shall conduct large mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
6. The Transferee shall provide a surety in a form and amount approved by the Division to assure reclamation of the lands affected by the mining operations.

The Transferor will remain liable for compliance at the mine site until this transfer application is approved.

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JUL 10 2013

DIV. OIL GAS & MINING



The signatory below represents that he/she has authority to execute this transfer on behalf of the Transferor, if not a natural person. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFEROR:

TME Asphalt Ridge, LLC

Operator/Transferor Name

By William Messerli

Name of Authorized Officer (Typed or Printed)

President / Chief Manager

Title of Authorized Officer

William Messerli

Officer's Signature

Date

STATE OF MINNESOTA

COUNTY OF HENNEPIN ) ss: )

On the 28<sup>th</sup> day of June, 20 13, William Messerli  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Officer (owner, officer, director, partner, agent or other (specify))  
of the Operator \_\_\_\_\_  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Teresa E. Tierney  
Notary Public

MINNESOTA

Residing at

1-31-2015

My Commission Expires:



APPROVED

JUL 10 2013

DIV. OIL GAS & MINING



The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

TMC Capital, LLC

Operator/Transferee Name

By

Name of Authorized Officer (Typed or Printed)

Title of Authorized Officer

Officer's Signature

Date

STATE OF \_\_\_\_\_ )

) ss:

COUNTY OF \_\_\_\_\_ )

On the 27<sup>th</sup> day of June, 20 13, \_\_\_\_\_  
personally appeared before me, who being by me duly sworn did say that he/she is  
an \_\_\_\_\_ (owner, officer, director, partner, agent or other (specify))  
of the Operator TMC Capital, LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Notary Public

Residing at

My Commission Expires:

APPROVED

JUL 10 2013

DIV. OIL GAS & MINING



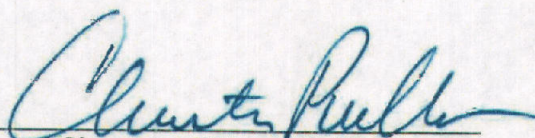
State of California        }  
                                     }  
County of Los Angeles    }

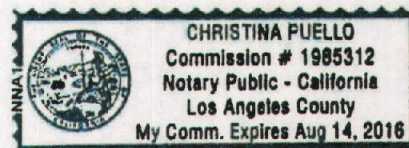
On June 27, 2013, before me, CHRISTINA PUELLO, Notary Public,  
personally appeared, Boris Treyzon, who proved to me on the basis of satisfactory evidence to be  
the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me  
that he/she/they executed the same in his/her/their authorized capacity(ies), and that by  
his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the  
persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

  
Signature of Notary Public



APPROVED

JUL 10 2013

DIV. OIL GAS & MINING



This Section for DOGM Use:

Assigned DOGM File No.: S 10471 0088  
DOGM Lead: Paul Baker  
Permit Fee \$ 150<sup>00</sup> Ck # 3093

Task ID# 1742

STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
1594 West North Temple Suite 1210  
Box 145801  
Salt Lake City, Utah 84114-5801  
Telephone: (801) 538-5291 Fax: (801) 359-3940

**NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS**

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1987, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

**I. GENERAL INFORMATION (Rule R647-3-104)**

1. Name of Mine: TMC AR Leey Mhle
2. Name of Entity Applying for Permit: TMC Capital, LLC  
Contact (Authorized Officer): Boris Treyzon  
Address: 9701 Wilshire Blvd., Suite 1000  
City, State, Zip: Beverly Hills, CA 90212  
Phone: (310) 407-7888 Fax: \_\_\_\_\_  
E-mail Address: boris@treyzon.com

Entity is a: Corporation ( ) ☒ LLC ☒ Sole Proprietorship (dba) ( )  
Partnership ( ) General \_\_\_\_\_ or \_\_\_\_\_ limited  
Individual ( ) Other ( ) -- specify type: \_\_\_\_\_

Entity must be registered (and maintain registration) with the State of Utah, Division of Corporations [www.commerce.utah.gov](http://www.commerce.utah.gov).

Are you currently registered to do business in the State of Utah? ☒ Yes ☐ No  
Entity # 8495484-0160

Local Business License # Applied for  
Issued by: County UTAH or City \_\_\_\_\_

Registered Utah Agent (as identified with the Utah Department of Commerce):

Name: Quick Data Services, Incorporated  
Address: 2005 East 2700 South, Ste. 200  
City, State, Zip: Salt Lake City, UT 84109  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

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JUL 30 2007

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JUL 10 2013

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MAR 19 2007

DIV. OF OIL, GAS & MINING



3. Entities Representative (if different from #2)

Name: N/A  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

4. If Partnership or Sole Proprietor:  
Name of 1<sup>st</sup> partner / Sole Proprietor:

Name: N/A  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

If Partnership:

Name of 2<sup>nd</sup> Partner: N/A  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

If Corporation:

Name of Officers: N/A Title: \_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_  
Title: \_\_\_\_\_

If Limited Liability Company: Member Managed ☐ Manager Managed ☒

Name of 1<sup>st</sup> Member/Manager: Boris Treyzon, Esq.  
Address: 9701 Wilshire Blvd., Suite 1000  
City, State, Zip: Beverly Hills, CA 90212  
Phone: (310) 407-7888 Fax: \_\_\_\_\_  
E-mail Address: boris-treyzon.com

Name of 2<sup>nd</sup> Member/Manager: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_

Name of 3<sup>rd</sup> Member/Manager: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Fax: \_\_\_\_\_  
E-mail Address: \_\_\_\_\_



Small Mine Notices require a \$150.00 fee which must accompany this application or it cannot be processed by the Division.

**NOTICE:** The following person(s) are authorized and designated to receive Notices of Violations, Cessation Orders and all other Notices required by the Division to be given to the permittee or operator:

Name: Boris Treyzon  
Address: 9701 Wilshire Blvd., Suite 1000  
City, State, Zip: Beverly Hills, CA 90212  
Phone: (310) 407-7888 Fax:   
E-mail Address: boris@treyzon.com

Name:   
Address:   
City, State, Zip:   
Phone:  Fax:   
E-mail Address:

#### VIII. SIGNATURE REQUIREMENT

(Please check the box and place your initials on the line provided)

- ☒ I have enclosed the required permit fee.
- ☒ I have enclosed a complete Reclamation Contract (Form MR-RC) and the appropriate reclamation surety amount or have made arrangements as to when the surety will be furnished.
- ☒ I understand that I am not authorized to create any surface disturbance until the surety amount is posted and approved in writing from the Division of Oil, Gas and Mining and any other authorized regulatory agency.

#### CERTIFICATION

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
- I commit to the reclamation of the aforementioned small mining project as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.
- This certification must be executed by an executive officer if the applicant is a corporation; by a partner if applicant is a partnership (general or limited); owner if applicant is a sole proprietorship; member or manager if applicant is a limited liability company.

Signature: [Signature] Date: 6/28/2013  
Name (typed or printed): Boris Treyzon  
Title/Position (if applicable): Manager

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Form MR-SMO

Page 7

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JUL 30 2007

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JUL 10 2013

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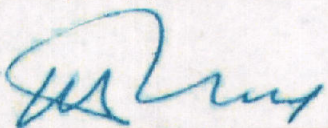


VII. SIGNATURE REQUIREMENT

**CERTIFICATION**

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- a. I have read this form and declare the information, statements and/or documentation are true, correct and complete to the best of my knowledge and belief; AND
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- c. **This certification must be signed by:** (1.) an executive officer if the applicant is a corporation; (2.) a partner if applicant is a partnership (general or limited); (3.) the owner if applicant is a sole proprietorship; or (4.) the member or manager if applicant is a limited liability company.

Signature: 

Date: 6/25/13

Name (typed or printed): Boris Trueman, manager

Title/Position (if applicable): manager

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JUL 10 2013

DIV. OIL GAS & MINING



STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION of OIL, GAS and MINING  
1594 West North Temple, Suite 1210  
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Salt Lake City, Utah 84114-5801  
(801) 538-5291

\*\*\*\*\*

APPLICATION FOR TRANSFER  
OF  
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Application is hereby made to transfer the permit to commence small mining operations for the  
Cameron #1 \_\_\_\_\_ project, permit # S/047 /0036, currently  
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to TMC Capital, LLC \_\_\_\_\_ (transferee).

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5. Transferee shall conduct large mining operations on lands included in the NOI in accordance with the Utah Mined Land Reclamation Act, (ACT) Sections 40-8-1 et seq., Utah Code Annotated, (2005, as amended), and the rules promulgated under the ACT (R647- et seq., and the approved NOI.
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TRANSFEROR:

TME Asphalt Ridge, LLC

Operator/Transferor Name

By

Name of Authorized Officer (Typed or Printed)

Title of Authorized Officer

William Messerli

Officer's Signature

Date

STATE OF MINNESOTA

) ss:

COUNTY OF HENNEPIN

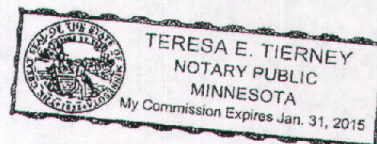
On the 28th day of June, 20 13, William Messerli  
personally appeared before me, who being by me duly sworn did say that he/she is  
an Officer (owner, officer, director, partner, agent or other (specify))  
of the Operator \_\_\_\_\_  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Teresa E. Tierney  
Notary Public

Residing at

MINNESOTA

1-31-2015  
My Commission Expires:



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The signatory below represents that he/she has authority to execute this transfer on behalf of the Operator/Transferee, if not a natural person; and the operator/transferee is a properly organized entity in good standing under the laws of Utah and the United States, is registered as an entity authorized to do business in the State of Utah. Statements made in the application are true and correct to the best of my knowledge and belief.

TRANSFeree:

TMC Capital, LLC

Operator/Transferee Name

By

Name of Authorized Officer (Typed or Printed)

Title of Authorized Officer

Officer's Signature

Date

STATE OF \_\_\_\_\_)

) ss:

COUNTY OF \_\_\_\_\_)

On the \_\_\_\_ day of June, 20 13, \_\_\_\_\_  
personally appeared before me, who being by me duly sworn did say that he/she is  
an \_\_\_\_\_ (owner, officer, director, partner, agent or other (specify))  
of the Operator TMC Capital, LLC  
and duly acknowledged that said instrument was signed on behalf of said Operator  
by authority of its bylaws, a resolution of its board of directors, or as may otherwise  
be required to execute the same with full authority and to be bound hereby.

Notary Public

Residing at

My Commission Expires:

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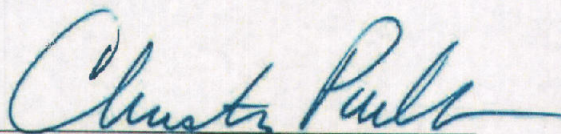


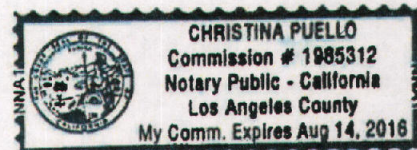
State of California        }  
                                     }  
County of Los Angeles    }

On June 27, 2013, before me, CHRISTINA PUELLO, Notary Public, personally appeared, Boris Treyzon, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the persons acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature   
Signature of Notary Public



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For Division Use:  
File No.: 5/047/036  
DOGM Lead: Scott Johnson

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STATE OF UTAH  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING  
355 West North Temple  
3 Triad Center, Suite 350  
Salt Lake City, Utah 84180-1203  
(801) 538-5340

DIVISION OF  
OIL, GAS & MINING

NOTICE OF INTENTION TO COMMENCE SMALL MINING OPERATIONS

The informational requirements of this form are based on provisions of the Mined Land Reclamation Act, Title 40-8, Utah Code Annotated 1953, as amended, and the General Rules as promulgated under the Utah Minerals Regulatory Program.

"Small Mining Operations" means mining operations which disturb five or less surface acres at any given time.

\*\*\*\*\*

I. GENERAL INFORMATION (Rule R613-003-104)

1. Name of Claim/Mine: NATIVE #1 (Cameron #1)
2. Name of Operator/Applicant: TMC Capital, LLC  
Company ( ) Corporation ☒ Partnership ( ) Individual ( )
3. Permanent Address: 9701 Wilshire Blvd., Suite 1000  
City: Beverly Hills State: CA Zip Code: 90212  
Telephone Number: (310) 407-7888
4. Ownership of Land Surface:  
Private (Fee) ☐ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☒ Other: \_\_\_\_\_
5. Ownership of Minerals:  
Private (Fee) ☐ Public Domain (BLM) ☐ National Forest (USFS) ☐  
State of Utah ☒ Other: \_\_\_\_\_

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Utah Mining Claim Number(s) \_\_\_\_\_

Utah State Lease Number(s) \_\_\_\_\_ ML 35709 ML 7920 ML 50058.0

6. Have the above owners been notified in writing? Yes \_\_\_\_\_ No X  
If no, why not? TMC Capital, LLC is the named lease holder

7. Does the operator have legal right to enter and conduct mining operations on the land covered by this notice? Yes X No \_\_\_\_\_

II. PROJECT LOCATION & MAP (Rule R613-003-105)

1. Project Location:

County(ies): \_\_\_\_\_

1/4, 1/4: <u>NE</u>	Section: <u>36</u>	Township: <u>5S</u>	Range: <u>21E</u>
1/4, 1/4: <u>NW</u>	Section: <u>3/28</u>	Township: <u>5S</u>	Range: <u>22E</u>
1/4, 1/4: _____	Section: _____	Township: _____	Range: _____

2. A topographic base map showing the location of the proposed small mining operation must be submitted with this notice. A USGS 7.5 minute series map is preferred. The areas to be disturbed should be plotted in sufficient detail so that they can be located on the ground. It is recommended that the operator also plot and label any previous disturbances in the immediate vicinity that he is not responsible for.

III. OPERATION PLAN (Rule R613-003-106)

1. Type of mining: Surface ☒ Underground ☐

2. Mineral(s) to be mined: Bituminous Sandstone

3. Provide a brief description of the proposed mining operation and onsite processing facilities. Attached

New Road(s): Length \_\_\_\_\_ (ft) Width \_\_\_\_\_ (ft)

Total project surface acreage to be disturbed 3 - 4 (acres)

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14. Plant the seed with a rangeland or farm drill, or if broadcast seeded, harrow or rake the seed 1/4-1/2 inch into the soil - fall is the preferred time to seed. (The Division also recommends broadcast fertilization at the time of seeding of 200 lbs./acre of diammonium phosphate 18-46-0.)

V. VARIANCE REQUEST (Rule R613-003-109)

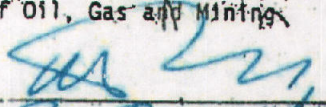
Yes ☐ No ☒

Any planned deviations from Rules R613-003-107, Operation Practices; R613-003-108, Hole Plugging Requirements, or R613-003-109, Reclamation Practices, as summarized above, should be identified below and justification given for the variance request(s).

<u>Item Number</u>	<u>Variance Request Justification</u>

VI. SIGNATURE REQUIREMENT

I hereby commit to the reclamation of the aforementioned exploration project as required by the Utah Mined Land Reclamation Act (40-89) and the rules as specified by the Board of Oil, Gas and Mining.

Signature of Operator/Applicant: 

Name (typed or print):

Title/Position (if applicable):

Date:

Bonnie J. Taylor for TMC Capital, LLC  
Manager  
6/25/2013

1070V/11-14

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# CERTIFICATION

This certification must be signed by:

- (1.) an executive officer if the applicant is a corporation;
- (2.) a partner if applicant is a partnership (general or limited);
- (3.) the owner if applicant is a sole proprietorship;
- (4.) a member or manager if applicant is a limited liability company; or
- (5) the individual if the applicant is filing as an individual:

I state under penalty of perjury under the laws of the state of Utah and the United States of America that:

- a. the (transferor), has provided a copy of the approved mining and reclamation plan. I will follow the approved mining and reclamation plan until such time that I provide the Division with an amended Notice of Intention (plan) and receive approval of the amended Notice;

AND

- b. I commit to the reclamation of the aforementioned large mining operation as required by the Utah Mined Land Reclamation Act (40-8) and the rules as specified by the Board of Oil, Gas and Mining.

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Name (typed or printed): \_\_\_\_\_

Title/Position (if applicable): \_\_\_\_\_

*[Handwritten Signature]*  
*Boris Truelsen, manager*  
*manager*  
*TMC Capital, LLC*

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